

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Hao XU et al. *GROUP ART UNIT:* 2142
U.S.S.N.: 10/665,808 *CONFIRMATION NO.:* 6637
FILING DATE: September 19, 2003 *EXAMINER:* Jason D. RECEK
DOCKET NO.: A033 *CUSTOMER NO.:* 36378
TITLE: *Managing Network Data Transfers in a Virtual Computer System*

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to 37 CFR § 1.56, and in accordance with 37 C.F.R. § 1.97 and § 1.98, the information cited in the accompanying Form PTO/SB/08a/b (same as PTO-1449) is being brought to the attention of the U.S. Patent and Trademark Office in connection with the examination of the above-identified application. In accordance with 37 C.F.R. § 1.97(g), this Information Disclosure Statement shall not be construed as a representation that a search has been made. Further, in accordance with 37 C.F.R. § 1.97(h), filing of an information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

Consideration of the listed references is solicited. Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b to indicate that the information has been considered and made of record herein.

This Information Disclosure Statement (IDS) is being filed:

within Period B (i.e., the period specified in paragraph (b) of 37 CFR § 1.97): namely, within three months of the filing date of a national application other than a continued prosecution application under 37 CFR § 1.53(d); or within three months of the date of entry of the national stage as set forth in 37 CFR § 1.491 in an international application; or before the mailing date of a first Office action on the merits, or before the mailing of

a first Office action after the filing of a request for continued examination (RCE) under 37 CFR § 1.114.

- within Period C (i.e., the period specified in paragraph (c) of 37 CFR § 1.97): namely, the period after Period B, provided that the IDS is filed before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; and the IDS is accompanied by:
 - the fee set forth in 37 CFR § 1.117(p) for submission of this IDS under 37 CFR § 1.97(c).

OR

- Applicant certifies pursuant to 37 CFR § 1.97(e) that:

- each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

OR

- no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

- within Period D (i.e., the period specified in paragraph (d) of 37 CFR § 1.97): namely, the period after Period C, provided that the IDS is filed on or before payment of the issue fee; and the IDS is accompanied by:

- the fee set forth in 37 CFR § 1.117(p) for submission of this IDS under 37 CFR § 1.97(c).

AND

- Applicant certifies pursuant to 37 CFR § 1.97(e) that:

each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

OR

no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated under 37 CFR § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

after the payment of the issue fee. Applicant requests that the information contained in this IDS be placed in the file.

Copies of any foreign patent documents and non-patent literature cited herein are enclosed.

Respectfully submitted,

Dated: December 17, 2010

/Terry McHugh
Terry McHugh (Reg. No. 33,261)
Telephone: 650-427-4023
Facsimile: 650-427-4818